

Remarks

Applicants respectfully request reconsideration of the application in view of the foregoing amendments and following remarks. Claims 1-18, 20-57, 66-67, 70, 71-129, and 130-188 are pending in the application. Claims 1-18, 20-57, 66, 67 and 70 are rejected. Claims 19, 58, 59, 60-65, 68, and 69 are canceled without disclaimer or prejudice to renewal.

New Assignee

The application was recently assigned to a new assignee and is now being prosecuted by the new assignee. The undersigned is authorized to act by the new assignee, and an appropriate Power of Attorney document has already been filed.

Advancement of Prosecution

Multiple dependent claims 58-59 and 68-69 were indicated as allowable if amended to independent form. To separate these claims, Applicants now present new claims 71-129 (“computer program product”) and 130-188 (“a computer system”) that no longer depend from claims 1-70.

Aside from addressing informalities and a correction to claims 33-34, the new claims are substantively identical to those examined in the most recent Action. Admittedly, claim 70 was previously presented only as a method, but there was only a §101 rejection of claim 70, which is now moot. Accordingly, no new issues are raised, and no additional search is required. So, the amendment can properly be entered even though the most recent Action was final.

If any issues remain, the Examiner is formally requested to contact the undersigned attorney prior to issuance of the next Office Action in order to arrange a telephonic interview.

Claim Rejections - 35 U.S.C. § 101

Claims 1-18, 20-57, 66, 67 and 70 are rejected under 35 U.S.C. §101 as directed to non-statutory subject matter. Applicants have amended the independent claims 1, 30, and 66 to now recite “suitably programmed computer system.” Support for “suitably programmed” is found, for example, in original claims 58 and 68. Applicants believe that the claims are allowable under § 101. *See* Interim Patent Subject Matter Eligibility Examination Instructions, slide 15, “Claim Tied to a Particular Machine.”

Applicants also present new claims 71-129 that mimic claims 1-18, 20-57, 66, 67 and 70. All claims 71-129 recite “computer program product,” which was formerly in claims 59 and 69. The Action indicated that the subject matter of these claims avoided §101 rejections and would be allowable if rewritten to independent form.

Applicants also present new claims 130-188 that mimic claims 1-18, 20-57, 66, 67 and 70. All claims 130-188 recite “a computer system,” which was formerly in claims 58 and 68. The Action indicated that the subject matter of these claims avoided §101 rejections and would be allowable if rewritten to independent form.

For convenience and purposes of comparison, Applicants reproduce canceled claims 58-59 below:

58. A computer system comprising
a processor, and
a memory coupled to said processor and encoding one or more
programs,
wherein said one or more programs cause the processor to carry
out the method of any one of claims 1-18 and 20-57.

59. A computer program product for use in conjunction with a
computer having a processor and a memory connected to the processor,
said computer program product comprising a computer readable storage
medium having a computer program mechanism encoded thereon,
wherein said computer program mechanism may be loaded into the
memory of said computer and cause said computer to carry out the
method of any one of claims 1-18 and 20-57.

For further reference, the following table of independent claims is presented:

Claim	Corresponding New Claim "computer program product"	Corresponding New Claim "computer system"
1	71	130
30	99	158
66	127	186

Conclusion

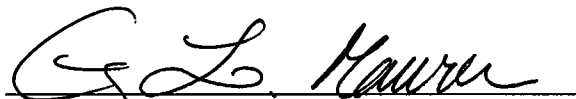
Because no issues remain, the claims stand ready for allowance. Such action is
respectfully requested.

Respectfully submitted,

KLARQUIST SPARKMAN, LLP

One World Trade Center, Suite 1600
121 S.W. Salmon Street
Portland, Oregon 97204
Telephone: (503) 595-5300
Facsimile: (503) 595-5301

By


Gregory L. Maurer
Registration No. 43,781